United Nations S/AC.29/2002/34

Security Council

Distr.: General
8 August 2002

Original: English

Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia

Note verbale dated 8 August 2002 from the Permanent Mission of Ireland to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Ireland to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 751 (1992) and, with reference to Security Council resolution 1407 (2002) of 3 May 2002, has the honour to communicate the following information concerning the implementation of the United Nations sanctions against Somalia as established by Security Council resolution 733 (1992).

The arms embargo against Somalia imposed by the Security Council under paragraph 5 of resolution 733 (1992) is implemented in Ireland by virtue of the Control of Exports Order, 2000 (Statutory Instrument 300 of 2000), made pursuant to the Control of Exports Act 1983. The Order prohibits the export of weapons and military equipment except under and in accordance with a licence. The Order replaced the Control of Exports Order, 1996 (Statutory Instrument 363 of 1996), which in turn replaced the Control of Exports Order, 1983 (Statutory Instrument 405 of 1983), both of which prohibited the export of weapons and military equipment on similar terms.

The export of military goods in contravention of the Control of Exports Order 2000 is punishable, under the Customs Act of 1956, by a fine not exceeding three times the value of the goods. In addition, the Control of Exports Act 1983 provides that a fine not exceeding €13,000 or three times the value of the goods, whichever is the greater, and/or imprisonment for a term not exceeding two years, may be imposed in circumstances where false or misleading information has been provided for the purpose of obtaining a military export licence.

The restrictions on exporting dual-use goods are implemented through article 4, paragraph 2, of the European Communities Council regulation 1334/2000, which is directly applicable in all member States of the European Union, including Ireland. By virtue of the European Communities (Control of Exports of Dual-Use Items) Regulations 2000 (Statutory Instrument 317 of 2000), a breach of regulation 1334/2000 is punishable in Ireland by a fine not exceeding €1,900 and/or imprisonment not exceeding 12 months.

02-51552 (E) 090802